

Joint Standing Committee on Business and Economic Development

LD 248 **An Act to Promote Economic Development in Rural Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY FERGUSON	ONTP	

LD 248, a concept draft pursuant to Joint Rule 208, proposed to promote economic development in rural Maine.

LD 658 **An Act to Continue Funding for the Maine Microenterprise Initiative Fund** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY DUGAY	ONTP	

LD 658 proposed to provide annual General Fund appropriations of \$1,000,000 in fiscal year 2001-02 and fiscal year 2002-03 for the Department of Economic and Community Development's Maine Microenterprise Initiative Fund to provide grants to organizations that provide business assistance services to microenterprises.

LD 687 **An Act to Maintain a Centralized Database for Schedule II Prescriptions Dispensed by Pharmacies in the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	ONTP	

LD 687 requires pharmacies to provide the Maine Board of Pharmacy with quarterly reports recording all schedule II drug transactions so that the board can maintain a centralized database.

Committee Amendment "A" (H-630) is the minority report of the Business and Economic Development Committee and proposed to amend the bill by designating the Department of Human Services as the department that would establish and maintain the schedule II drug database. The amendment also proposed to require a retail drug outlet or a mail order business that dispenses schedule II drugs and is registered under the Maine Revised Statutes, Title 32, section 13751 to report schedule II drug transactions to the department on a quarterly basis. Additionally, the amendment proposed to require the dispensing facility to report, at a minimum, the pharmacy prescription number, pharmacy number, patient identifier, which may include the name of the customer and the customer's date of birth, the date the controlled substance was dispensed, the metric quantity of the controlled substance, the national drug code of the controlled substance, the estimated days of supply of the controlled substance dispensed and the prescriber's United States Drug Enforcement Agency registration number to the department. The amendment would designate information contained in the reports and in the database as confidential and limits its disclosure to governing bodies that license practitioners when they are conducting an investigation that involves schedule II drugs and to pharmacists, physicians and dentists when the information relates to their own patients. The amendment would expressly prohibit the release of confidential information from the database to law enforcement officers.

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This amendment also adds a fiscal note to the bill.

LD 1144

An Act to Enhance Economic Development Capacity

**PUBLIC 680
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH SAXL	OTP-AM	S-517 S-621 GOLDTHWAIT

LD 1144 proposed to include an annual General Fund appropriations totaling \$2,000,000 for the Department of Economic and Community Development of which \$1,200,000 annually would go toward continuing the momentum of the department's proactive business attraction marketing program and \$800,000 annually towards capacity building block grant program to regional economic development districts.

Committee Amendment "B" (S-517), which was adopted as modified by Senate Amendment A, proposed to strike and replace the original bill and provide annual General Fund appropriations totaling \$4,571,000 for the Department of Economic and Community Development of which \$1,200,000 would go into regional development block grants and \$200,000 would go to secure federal planning grants to assist communities suffering from the loss of major employers. The amendment would also provide \$500,000 for business attraction and expansion marketing efforts and \$1,000,000 to recapitalize the Maine Microenterprise Initiative. The amendment would also provide \$200,000 over the biennium to recapitalize the fund that provides grants to avoid or alleviate the impact caused when a community loses a mature or dominant industry. It would also provide one-time funds for the construction of the River Valley Technical Center incubator facility and matching funds for the Schoodic education and research center. This amendment would also appropriate \$35,000 in one-time funds to assist the Maine Film Office to upgrade digital technology and \$100,000 for the Maine Products Marketing Program. This amendment would add an emergency preamble and clause and fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "B" (S-621), which was adopted, proposed to remove the emergency provisions from the bill and would do the following:

1. Appropriate \$5,000 and allocates another \$5,000 for the Community Forestry Fund;
2. Appropriate \$75,000 for the Forum Francophone;
3. Appropriate \$10,000 to the Town of Raymond for a Community Gateways project;
4. Appropriate \$211,674 for the New Century Community Program; and
5. Allow funds in the Jobs Retention Program that become available as a result of a revocation of a certificate of approval for a certified retained business under this program to be used for grants to municipalities to retain mature or dominant employers.

Enacted law summary

Public Law 2001, chapter 680 provides an annual General Fund appropriations totaling \$4,571,000 for the Department of Economic and Community Development and provides \$1,200,000 in regional development block grants and \$200,000 to secure federal planning grants to assist communities suffering from the loss of major

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employers. It also provides \$500,000 for business attraction and expansion marketing efforts and \$1,000,000 to recapitalize the Maine Microenterprise Initiative. Public Law 2001, chapter 680 also provides \$200,000 over the biennium to recapitalize the fund that provides grants to avoid or alleviate the impact caused when a community loses a mature or dominant industry and provides one-time funds for the construction of the River Valley Technical Center incubator facility and matching funds for the Schoodic education and research center. It also appropriates \$35,000 in one-time funds to assist the Maine Film Office to upgrade digital technology and \$100,000 for the Maine Products Marketing Program. In addition, this Public Law appropriates \$5,000 and allocates another \$5,000 for the Community Forestry Fund, \$75,000 for the Forum Francophone, and \$10,000 to the Town of Raymond for a Community Gateways project and \$211,674 for the New Century Community Program. Finally, this Public Law allows funds in the Jobs Retention Program that become available as a result of a revocation of a certificate of approval for a certified retained business under this program to be used for grants to municipalities to retain mature or dominant employers.

Public Law 2001, chapter 680 was enacted as an emergency measure effective April 11, 2002.

LD 1262 An Act to Properly Apply Jurisdiction of Chimney Regulation ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES SHOREY	ONTP	

LD 1262 proposed to remove the Oil and Solid Fuel Board from the responsibility of chimney regulation in the State and proposed to clarify that the Commissioner of Public Safety or the commissioner's designee has the responsibility for enforcing chimney regulation.

LD 1476 An Act to Amend the Laws of the Board of Barbering and Cosmetology PUBLIC 599

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS PENDLETON	OTP-AM	H-932

LD 1476 proposed to establish a continuing education requirement for people engaged in the practice of cosmetology, manicuring, aesthetics and barbering.

Committee Amendment "A" (H-827), which was not adopted, proposed to replace the original bill and require the Board of Barbering and Cosmetology to establish continuing education requirements for licensees of the board and establish provisions for inactive license status. This amendment would have narrowed the scope of practice for barbers, in order to enable the board to adopt less stringent continuing education requirements for barbers. This amendment also proposed to reduce the number of hours of course instruction from 1,500 hours to 1,000 hours or experience in practice from 2,500 hours to 2,000 to satisfy the training component of licensure for barbers. Additionally, this amendment proposed to remove the authority to set fees from the board and give the authority to the Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation. The amendment would have changed the composition of the Board of Barbering and Cosmetology by reducing the number of barber and cosmetologist members and by adding a manicurist and an aesthetician.

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Finally, the amendment proposed to alter the inspection schedule to make more efficient use of staff and make rules adopted under the chapter routine technical rules and proposed to add a fiscal note and an allocation section to the bill.

Committee Amendment "B" (H-932) which was adopted, proposed to replace the original bill and to make changes to the composition of the Board of Barbering and Cosmetology by reducing the number of barber and cosmetologist members and by adding a manicurist and an aesthetician. The amendment also proposed to alter the inspection schedule to make more efficient use of staff would add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 599 establishes a continuing education requirement for people engaged in the practice of cosmetology, manicuring, aesthetics and barbering and sets criteria for the applicants, the continuing education courses and the entities that provide the courses.

LD 1498 **Resolve, to Require the Collection of Health Care Practitioner Workforce Data** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

LD 1498 proposed that certain boards amend their rules by January 1, 2002 to require that all licensed, registered and certified persons under the authority of those boards complete and return the survey proposed under this resolve.

LD 1672 **An Act to Create the Washington County Development Authority** **PUBLIC 568**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY GOODWIN	OTP-AM	H-967 RICHARDSON S-468

LD 1672 proposed to create the Washington County Development Authority for the purposes of enhancing economic development within the county, strengthening the financial condition of local governments within the county while combining resources and sharing costs for meeting regional economic development needs and challenges, and promoting and developing infrastructure and programs for employment and economic development opportunities and other conditions to enhance regional development. This bill, as proposed, would take effect when approved only for the purpose of permitting its submission to the legal voters of the cities, towns and plantations of Washington County at regular or special town and plantation meetings and city elections called and held for that purpose before December 31, 2001.

Committee Amendment "A" (S-468), which was adopted, proposed to strike and replace the original bill. It proposed to create the Washington County Development Authority for the purposes of accepting from the Federal Government and disposing of the real or personal property located within the geographical boundaries of the naval communications unit in the Town of Cutler or any other decommissioned federal military facility located in Washington County. The amendment proposed to establish the authority as a public municipal corporation, create

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a board of trustees and empower the authority to employ technical experts and agents and to lease, sell or transfer accepted federal property or interests in accepted property to eligible entities. The amendment proposed to authorize the authority to apply for and to accept grants to support the activities of the authority. The amendment also proposed to require the authority to submit an annual report. The amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-964), which was adopted, proposed to specify that the rules adopted by the Washington County Development Authority would be routine technical rules.

Enacted law summary

Public Law 2001, chapter 568 creates the Washington County Development Authority for the purposes of accepting from the Federal Government and disposing of the real or personal property located within the geographical boundaries of the naval communications unit in the Town of Cutler or any other decommissioned federal military facility located in Washington County. The law establishes the authority as a public municipal corporation, creates a board of trustees and empowers the authority to employ technical experts and agents and to lease, sell or transfer accepted federal property or interests in accepted property to eligible entities. The law authorizes the authority to apply for and accept grants to support the activities of the authority. It also requires the authority to submit an annual report.

LD 1731 **An Act to Require Registration of Building Contractors** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	ONTP	

LD 1731 proposed to require construction contractors who build or repair buildings and whose contracts with any consumer exceed \$4,500 to be registered with the State.

LD 1749 **Resolve, to Establish a Commission to Review Internet Policy** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

LD 1749 proposed to establish the Commission to Review Internet Policy. Under the proposed bill, the 11-member commission would have been charged with studying issues related to the commercial uses of information on the Internet.

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LD 1868

An Act to Provide Enhancements to the Small Enterprise Growth Program

PUBLIC 541

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SHOREY	OTP-AM	H-778

LD 1868 proposed to modify the Small Enterprise Growth Program by eliminating the cap on the amount the Small Enterprise Growth Board may invest in any one small business in Maine. The bill also proposed to allow the board to make additional investments in portfolio companies that have grown since the board's initial investment and that evidence a likelihood for continued high growth, enabling the board make additional investments in companies that appear likely to provide significant returns on the board's investment.

Committee Amendment "A" (H-778), which was adopted, replaced the bill. The amendment allows the Small Enterprise Growth Program Board the discretion to make subsequent investments in companies that have benefited from an initial investment by the board. It maintains the current maximum initial disbursement that the board may make to a company at \$500,000, but allows a subsequent disbursement to equal up to 10% of the capitalization of the fund from appropriations, returns on successful investments and accrued interest. The amendment also adds a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 541 allows the Small Enterprise Growth Program Board the discretion to make subsequent investments in companies that have benefited from an initial investment by the board providing those companies have grown since the board's initial investment and evidence a likelihood for continued high growth. The law maintains the current maximum initial disbursement that the board may make to a company at \$500,000, but allows a subsequent disbursement to equal up to 10% of the capitalization of the fund from appropriations, returns on successful investments and accrued interest.

LD 1877

An Act to Allow Pledging of Medical Education Loans to Secure Bonds to Finance Educational Loans

PUBLIC 479

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON LEDWIN	OTP	

LD 1877 proposed to allow the Finance Authority of Maine to pledge the existing Health Professions Loan Program revolving loan fund, including the revenue stream, when borrowing funds to be applied to the loan fund. By doing this, FAME would provide greater access to lower cost financing for Maine students attending medical schools. The bill proposed to allow the Finance Authority of Maine to purchase loans as necessary to comply with the United States Internal Revenue Code requirement that the proceeds of tax-exempt bonds issued for the funding of loans for higher education be disbursed within 3 years of issuance.

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Enacted law summary

Public Law 2001, chapter 479 allows the Finance Authority of Maine to pledge the existing Health Professions Loan Program revolving loan fund, including the revenue stream, when borrowing funds to be applied to the loan fund. By doing this, the law provides greater access to lower cost financing for Maine students attending medical schools. The law also allows the Finance Authority of Maine to purchase loans as necessary to comply with the United States Internal Revenue Code requirement that the proceeds of tax-exempt bonds issued for the funding of loans for higher education be disbursed within 3 years of issuance.

LD 1888 An Act to Allow Mechanics Licensed by the Manufactured Housing Board to Install and Maintain Oil Tanks PUBLIC 633

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP MAJ OTP MIN	H-1005 RICHARDSON

LD 1888 proposed to permit mechanics licensed by the Manufactured Housing Board to install and maintain oil tanks to current standards.

House Amendment "A" (H-1005) which was adopted, proposed to strike the bill and do the following:

1. Create a limited license for the manufactured housing mechanics that gives them a limited license to install outside heating oil tanks at certain manufactured housing units;
2. Limit the fee that can be charged by this limited license to \$50 biennially;
3. Require a manufactured housing mechanic have at least 4 hours of training from an approved course in the proper installation of outside home heating oil tanks to be issued a limited license;
4. Change the Oil and Solid Fuel Board membership by adding a 7th member to the board and give service manager associations from the southern and northern parts of the State the ability to recommend board members to the Governor; and
5. Add an appropriations and allocations section.

Senate Amendment "A" (S-466), which was not adopted, proposed to strike the bill and do the following:

1. Create a limited license for the manufactured housing mechanics that gives them a limited license to install outside heating oil tanks at certain manufactured housing units;
2. Limit the fee that can be charged by this limited license to \$50 biennially;
3. Require that the manufactured housing mechanic have at least 4 hours of training from an approved course in the proper installation of outside home heating oil tanks to be issued a limited license;

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4. Change the Oil and Solid Fuel Board membership by adding a 7th member to the board, and broaden the membership to include the service manager associations from the southern and northern part of the State; and
5. Add an appropriations and allocations section.

Senate Amendment "B" (S-484), which was not adopted, proposed to strike the bill and do the following:

1. Create a limited license for the manufactured housing mechanics that gives them a limited license to install outside heating oil tanks at certain manufactured housing units;
2. Limit the fee that can be charged by this limited license to \$50 biennially;
3. Require that the manufactured housing mechanic have at least 4 hours of training from an approved course in the proper installation of outside home heating oil tanks to be issued a limited license;
4. Change the Oil and Solid Fuel Board membership by adding a 7th member to the board and give service manager associations from the southern and northern parts of the State the ability to recommend board members to the Governor; and
5. Add an appropriations and allocations section.

Enacted law summary

Public Law 2001, chapter 633 does the following:

1. It creates a limited license for the manufactured housing mechanics that will give them a limited license to install outside heating oil tanks at certain manufactured housing units;
2. It limits the fee that can be charged by this limited license to \$50 biennially;
3. It requires that the manufactured housing mechanic have at least 4 hours of training from an approved course in the proper installation of outside home heating oil tanks to be issued a limited license; and
4. It changes the Oil and Solid Fuel Board membership by adding a 7th member to the board and gives service manager associations from the southern and northern parts of the State the ability to recommend board members to the Governor.

LD 1911

An Act Regarding Certain Educational Requirements for Licensed Social Workers

PUBLIC 542

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ OTP MIN	S-435

LD 1911 proposed to reverse changes made by Public Law 2001, chapter 316, which created the position of licensed bachelor social worker and established standards and educational requirements for the position. The bill proposed to retroactivity reverse those changes to their effective date of September 21, 2001.

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Committee Amendment "A" (S-411), which was not adopted, proposed to replace the bill and extend the deadline for when new educational requirements became effective to September 30, 2003. It also proposed to add a fiscal note to the bill.

This bill was recommitted to the Joint Standing Committee on Business and Economic Development Committee, which reported out committee amendment B.

Committee Amendment "B" (S-435), which was adopted, proposed to replace the bill and extended the deadline for when new educational requirements became effective to September 30, 2003. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 542 modifies Public Law 2001, chapter 316, which created the position of licensed bachelor social worker and established standards and educational requirements for that position, by extending the deadline for when the new educational requirements become effective to September 30, 2003.

LD 1914 **An Act to Clarify the Application of the Freedom of Access Laws to Certain Proceedings and Records of the Maine Technology Institute** PUBLIC 562

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY BRYANT	OTP-AM	H-915 RICHARDSON S-452

LD 1914 proposed to protect the confidentiality of Maine Technology Institute clients by exempting the institute's proceedings and records from the requirements of Maine's public records and proceedings statutes. It also proposed to protect the confidentiality of the applied technology development centers and their tenants by exempting the centers and their tenants' records and proceedings from the requirements of Maine's public records and proceedings statutes.

Committee Amendment "A" (S-452), which was adopted, proposed to change the title of the bill. The amendment also proposed to strike and replace section 2 of the bill. It also declared that the proceedings and records of the Maine Technology Institute are subject to the freedom of access laws and specifies which records and documents are exempt from the provisions of Title 1, chapter 13 and are thus confidential. Generally, the proposed exemptions relate to documents that contain proprietary information and trade secrets the disclosure of which could be competitively harmful to a business that is an applicant for financial support or a recipient of financial support from the institute. The amendment also proposed to specify which institute information is available to the public on request. Finally, the amendment proposed to strike a reference to the tenants of the applied technology development centers in section 3 of the bill.

House Amendment "A" to Committee Amendment "A" (H-915), which was adopted, proposed to make grammatical changes in the conjunctions to reflect the intent of the legislation.

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Enacted law summary

Public Law 2001, chapter 562 declares that the proceedings and records of the Maine Technology Institute are subject to the freedom of access laws and specifies which records and documents are exempt from the provisions of Maine Revised Statutes, Title 1, chapter 13 and are thus confidential. Generally, the exemptions relate to documents that contain proprietary information and trade secrets the disclosure of which could be competitively harmful to a business that is an applicant for financial support or a recipient of financial support from the institute. The law also specifies which institute information is available to the public on request.

LD 1917 **An Act to Increase the Licensing Fee Cap for the Maine Board of Pharmacy** **ONTP**

<u>Sponsor(s)</u> SHOREY RICHARDSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1917 proposed to increase the licensing fee cap for the Maine Board of Pharmacy.

LD 1935 **An Act Concerning the State Board of Funeral Service** **PUBLIC 505**

<u>Sponsor(s)</u> MAYO BROMLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-788
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LD 1935 proposed to amend the law governing funeral establishments and practitioners of funeral services to eliminate the requirement that a sanitation inspection be conducted every 3 years and to instead permit the State Board of Funeral Service to conduct inspections in response to complaints or alleged violations of the board's laws or rules, or as otherwise may be needed in the discretion of the board. The bill also proposed to provide the board with the authority to review financial records to determine compliance with the laws and rules applicable to prearranged funeral services or plans, also known as mortuary trust accounts.

Committee Amendment "A" (H-788), which was adopted, proposed to clarify the scope of investigation of funeral establishments and add an appropriations and allocations section and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 505 removes the requirement that State Board of Funeral Services conduct inspections of funeral establishments and practitioners of funeral services every 3 years and replaces it with language that gives the board discretion to conduct inspections as needed. It also provides the board with the authority to review financial records to determine compliance with the laws and rules applicable to prearranged funeral services or plans.

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LD 1948

An Act to Clarify the Method of Sale for Heating Oil and Retail Motor Fuels

PUBLIC 491

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SAWYER	OTP-AM	H-777

LD 1948 proposed to establish methods of sales of commodities that require labeling and the publishing of prices that will provide adequate information for consumers to make value price comparisons among companies selling heating oil or retail motor fuels using temperature-compensating technology and those using a traditional 231-cubic-inch-per-gallon measurement.

Committee Amendment "A" (H-777), which was adopted, proposed to amend the original bill by allowing a seller of commodities in liquid form to obtain approval from the State Sealer for regional use of temperature compensators in lieu of equipping the seller's entire fleet of vehicles with temperature compensators.

Enacted law summary

Public Law 2001, chapter 491 establishes methods of sales of commodities that require labeling and the publishing of prices that will provide adequate information for consumers to make value price comparisons among companies selling heating oil or retail motor fuels using temperature-compensating technology and those using a traditional 231-cubic-inch-per-gallon measurement. The law also allows a seller of commodities in liquid form to obtain approval from the State Sealer for regional use of temperature compensators in lieu of equipping the seller's entire fleet of vehicles with temperature compensators.

LD 1972

An Act Regarding Trial Offers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SAWYER	ONTP MAJ OTP MIN	

LD 1972 proposed to allow merchants to provide consumers who had already agreed over the telephone to be charged for a good or service after a trial period with a written notice. Under the proposed bill, the written notice would have detailed the specific steps for cancellation of the purchase using a toll-free telephone number.

LD 1990

An Act to Regulate Professional Boxing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	ONTP MAJ OTP-AM MIN	

LD 1990 proposed to repeal the Maine Revised Statutes, Title 32, chapter 115, which governs the Maine Athletic Commission and proposed to establish an alternative form of regulation under which the Commissioner of Professional and Financial Regulation would act as the State's boxing commission for the purposes of the federal Professional Boxing Safety Act of 1996, 15 United States Code, Sections 6301 to 6313. This bill also proposed to

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authorize the commissioner to contract with other states, other state agencies and the Association of Boxing Commissions, or its successor organization, to carry out the purposes of the Maine Revised Statutes, Title 32, chapter 115-A proposed in this bill, including the registration of professional boxers and the supervision of professional boxing events in this State.

Committee Amendment "A" (H-958) was the minority report and proposed to require the Commissioner of Professional and Financial Regulation to appoint members of the Maine Athletic Committee to advise and assist the commissioner on the inspection and regulation of amateur and professional boxing and kick-boxing events and professional wrestling events. Under the proposed amendment, commissioners of the former Maine Athletic Commission would have been entitled to serve on the athletic committee. The amendment also proposed to impose a 5% gate tax on all boxing or kick-boxing contests or exhibitions and all professional wrestling matches, shows or exhibitions held in the State to support the activities of the athletic committee. In addition, the amendment proposed to reenact the section of the bill that proposed to prohibit "ultimate fighting" and "toughman" competitions.

The amendment also proposed to add an appropriations and allocations section and a fiscal note to the bill.

LD 2017

An Act to Increase the Licensing Fee Caps of the Board of Osteopathic Licensure

PUBLIC 492

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	OTP-AM MAJ ONTP MIN	H-779

LD 2017 proposed to increase the fee caps for the Board of Osteopathic Licensure and proposed to provide the board with the authority to adopt a renewal schedule by rule. The bill also proposed to authorize the board to adopt, by rule, a one-time special assessment not to exceed \$100 if the board's revenues are insufficient to meet its obligations. Under the proposed bill, the authority for the special assessment would have expired on December 31, 2003.

Committee Amendment "A" (H-779), which was adopted, proposed to reduce the fee cap for certain licenses from \$750 to \$600 and remove the authorization for the Board of Osteopathic Licensure to assess a one-time fee by rule. The amendment also added a fiscal note.

Enacted law summary

Public Law 2001, chapter 492 increases the fee caps for the Board of Osteopathic Licensure and provides the board with the authority to adopt a renewal schedule by rule.

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LD 2056

**An Act to Strengthen the Laws Governing Inspections of Boilers,
Pressure Vessels, Elevators and Tramways**

PUBLIC 573

Sponsor(s)
RICHARDSON
SHOREY

Committee Report
OTP-AM

Amendments Adopted
H-1010

LD 2056 proposed to do the following:

Part A of the bill proposed to amends the laws governing boiler and pressure vessels to:

1. Provide the chief inspector with the authority to grant variances and to provide any party aggrieved by an order or act of the chief inspector or a deputy inspector with the right to appeal from the order or act to the Board of Boilers and Pressure Vessels;
2. Provide the chief inspector with the ability to take a boiler or pressure vessel out of service if the owner has failed to have it inspected in a timely fashion or has failed to make required repairs;
3. Clarify that it is the owner's responsibility to have a boiler or pressure vessel inspected in a timely manner;
4. Clarify the existing duties of owners of boilers and pressure vessels, including that it is the owner's responsibility to have a boiler or pressure vessel inspected in a timely fashion and establish additional requirements, such as a requirement that the board must be notified when a unit is removed or when required repairs have been completed;
5. Clarify that the board has the authority to adopt rules to implement the purposes of the chapter;
6. Clarify that an insurance company inspector may inspect a boiler or pressure vessel not insured by that company if it is in connection with an application for insurance or when a new unit is installed at an insured location; and
7. Make technical and conforming changes, including changes necessary to conform the Maine Revised Statutes, Title 32, chapter 131 with the provisions of Public Law 1999, c. 687, which provided the Director of the Office of Licensing and Registration with the authority to establish fees for authorized purposes through rulemaking.

Part B of the bill proposed to amend the laws governing elevators and tramways to:

1. Provide the chief inspector with the ability to take an elevator out of service if the owner has failed to have the elevator inspected in a timely fashion or has failed to make required repairs;
2. Clarify the duties and responsibilities of elevator and tramway owners, including the responsibility to obtain an inspection certificate, have the elevator inspected on an annual basis, notify the Board of Elevator and Tramway Safety when required repairs have been made, notify the Board of Elevator and Tramway Safety when ownership of a unit changes and notify the board when a unit is removed or no longer in use.

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3. Provide the chief inspector with the authority to grant variances, subject to the existing right of any party aggrieved by an order or act of the chief inspector or a deputy inspector with the right to appeal from the order or act to the board;
4. Clarify the board's ability to fine an owner or operator for failure to comply with the requirements of the chapter;
5. Strengthen the administrative remedies available against owners who fail to comply with the applicable statutes by giving the board the ability to assess fines of up to \$3,000 per violation;
6. Change the terms of licenses issued by the board from a 3-year term to a one-year term and provide the board with the authority to adopt standards through rulemaking for licensure, renewal and continuing education of elevator and lift mechanics;
7. Prohibit licensed elevator mechanics from repairing elevators that do not have current inspection certificates unless the repairs are to correct violations noted in an inspection report;
8. Prohibit a licensed private elevator inspector from ever inspecting an elevator that he or she sold, serviced or installed or that was sold, serviced or installed by the inspector's employer;
9. Change the license name of licensed elevator inspectors to differentiate private inspectors from state-employed inspectors;
10. Require elevator contractors and helpers to register with the board;

Committee Amendment "A" (H-1010), which was adopted, proposed to do the following:

1. Authorize the Director of Licensing and Registration within the Department of Professional and Financial Regulation to establish a late inspection fee or a late certificate fee regarding boiler and pressure vessel inspections, not to exceed \$250.
2. Clarify that the owner of a boiler or pressure vessel may be assessed a late fee if an inspection report is not submitted within 60 days of the expiration of the most recent certificate or if the certificate fee is not paid within 60 days of when the owner is notified that the inspection report has been received.
3. Elevator or tramway accidents that result from equipment failure, result in significant injury to a person or result in substantial damage to equipment must be reported to the chief inspector in accordance with the board's rules. When such an accident occurs, the inspection certificate for the elevator or tramway involved may be summarily revoked in accordance with the Maine Revised Statutes, Title 5, section 10004.
4. Remove language that prohibits a licensed elevator mechanic from repairing an elevator that does not have a current certificate unless the repairs are being made to correct deficiencies noted in an initial or annual inspection report.
5. Remove the independent registration and fee requirements for helpers.
6. Except for hospitals, the amendment would allow unlicensed plant personnel to work on elevators in industrial and manufacturing plants under the supervision of a plant engineer.

Joint Standing Committee on Business and Economic Development

7. Prohibit a person or company that is licensed as a private elevator and lift inspector and that services an elevator or lift equipment from inspecting that elevator or equipment for a period of one year.
8. Create the Class E crime of criminal operation of an elevator or tramway; and
9. Add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 573 does the following regarding boiler and pressure vessels:

1. Provides the chief inspector with the authority to grant variances and to take a boiler or pressure vessel out of service if the owner has failed to have it inspected in a timely fashion or has failed to make required repairs;
2. Clarifies that it is the owner's responsibility to have a boiler or pressure vessel inspected in a timely manner and authorizes the Director of Licensing and Registration within the Department of Professional and Financial Regulation to establish a late inspection fee or a late certificate fee regarding boiler and pressure vessel inspections, not to exceed \$250; and
3. Clarifies that an insurance company inspector may inspect a boiler or pressure vessel not insured by that company if it is in connection with an application for insurance or when a new unit is installed at an insured location.

Public Law 2001, chapter 573 does the following regarding elevators and tramways:

1. Provides the chief inspector with the ability to take an elevator out of service if the owner has failed to have the elevator inspected in a timely fashion or has failed to make required repairs;
2. Clarifies the duties and responsibilities of elevator and tramway owners, including the responsibility to obtain an inspection certificate, have the elevator inspected on an annual basis, notify the Board of Elevator and Tramway Safety when required repairs have been made, notify the Board of Elevator and Tramway Safety when ownership of a unit changes and notify the board when a unit is removed or no longer in use;
3. Provides the chief inspector with the authority to grant variances and clarifies the board's ability to fine an owner or operator up to \$3,000 per violation for failure to comply with applicable statutes;
4. Requires the owner or lessee to report to the chief inspector any elevator or tramway accidents that result from equipment failure, result in significant injury to a person or result in substantial damage to equipment and when such an accident occurs, the inspection certificate for the elevator or tramway involved may be summarily revoked;
5. Changes the terms of licenses issued by the board from a 3-year term to a one-year term and provides the board with the authority to adopt standards through rulemaking for licensure, renewal and continuing education of elevator and lift mechanics;
6. Changes the license name of licensed elevator inspectors to differentiate private inspectors from state-employed inspectors and requires elevator contractors to register with the board;

Joint Standing Committee on Business and Economic Development

7. Provides that a person or company that is licensed as a private elevator and lift inspector who services an elevator or lift equipment, may not inspect that equipment within 12 months of servicing the same equipment; and
8. Creates the Class E crime of criminal operation of an elevator or tramway.

LD 2089

An Act Concerning the Disposal and Storage of Cremains

PUBLIC 611

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE	OTP-AM	H-908

LD 2089 proposed to allow a funeral director or a practitioner of funeral service who receives cremains to charge a cremains disposal fee not exceeding \$100. This fee would be refunded promptly if the cremains were claimed not later than 180 days after the receipt of the cremains by the funeral director or practitioner of funeral service. If the cremains were not claimed 180 days after their receipt by a funeral director or practitioner of funeral service, that funeral director or practitioner of funeral service could dispose of the cremains in accordance with the Maine Revised Statutes, Title 13, section 1032. Under the proposed bill, that funeral director or practitioner of funeral service would be required to refund promptly any portion of the \$100 fee not expended in the disposal of those cremains. A funeral director or practitioner of funeral service who acted in good faith in accordance with the provisions of this proposed legislation governing the disposal of cremains would not be liable for damages in a civil action for such an act.

Committee Amendment "A" (H-908), which was adopted, proposed to strike and replace the original bill. It proposed to enable a funeral director or practitioner of funeral services to dispose of cremains still in the possession of the director or practitioner providing 2 conditions had been met: First, the cremains had not been claimed for a period of at least 4 years from the time of cremation and second, that the funeral director or practitioner of funeral services had provided a 60-day notice by certified mail to the person who authorized the cremation. The amendment also proposed to add a fiscal note to the bill.

LD 2091

An Act to Provide for the 2002 and 2003 Allocations of the State Ceiling on Private Activity Bonds

**P & S 53
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY RICHARDSON	OTP	

LD 2091 proposed to establish the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2002 and 2003. Under federal law, a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2002 and a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2003. This bill proposed to allocate the state ceiling among the state-level issuers of tax-exempt bonds.

Enacted law summary

Joint Standing Committee on Business and Economic Development

Private and Special Law 2001, chapter 53 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2002 and 2003. Under federal law, a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2002 and a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2003. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2001, chapter 53 was enacted as an emergency measure effective March 12, 2002.

LD 2109	An Act to Prevent Price Gouging During Abnormal Market Disruptions	ONTP
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<u>Sponsor(s)</u> NORBERT TREAT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2109 proposed to clarify that price gouging is an unfair method of competition. The bill also proposed to make price gouging a Class C crime.

LD 2125	Resolve, Regarding Legislative Review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a Major Substantive Rule of the Department of Professional and Financial Regulation, Office of Licensing and Regulation	RESOLVE 100 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2125 proposed legislative review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a major substantive rule of the Department of Professional and Financial Regulation. The provisionally-adopted rules proposed to be reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 261. LD 1737, which was enacted as amended by committee amendment “A” in the First Regular Session of the 120th Legislature, required the Board of Licensure of Foresters to adopt major substantive rules pursuant to Maine Revised Statutes, Title 5, chapter 375, subchapter II-A to govern the issuance of a variance to a person who does not meet the educational qualifications established in Chapter 50 of the board’s rules. The proposed rules detailed the work experience and supplemental forestry education that an applicant must demonstrate in order to qualify for a variance.

Enacted law summary

Resolve 2001, chapter 100 provides for legislative review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a major substantive rule of the Department of Professional and Financial Regulation. The provisionally adopted rules reviewed under the resolve were adopted pursuant to Public Laws of 2001, chapter 261. The proposed rules detailed the work experience and supplemental forestry education that an applicant must demonstrate in order to qualify for a variance.

Joint Standing Committee on Business and Economic Development

Resolve 2001, chapter 100 was finally passed as an emergency measure effective March 12, 2002.

LD 2127 **Resolve, Regarding Legislative Review of Chapter 4: Installation Standards, a Major Substantive Rule of the Department of Professional and Financial Regulation** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	
	ONTP MIN	

LD 2127 proposed to provide for the legislative review of Chapter 4: Installation Standards, a major substantive rule of the Department of Professional and Financial Regulation regarding the provisional adoption of a plumbing code.

Committee Amendment "A" (H-1031) proposed to remove the emergency preamble and emergency clause and proposed to add a fiscal note to the resolve.

LD 2131 **An Act to Develop a Controlled Substances Prescription Monitoring and Intervention Program** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP A	
	OTP-AM B	
	OTP-AM C	

LD 2131 proposed the establishment of a controlled substances prescription monitoring and intervention program. Under the proposed bill, the Department of Professional and Financial Regulation and the Maine Board of Pharmacy would have developed the computerized program to track each prescription for a controlled substance listed in schedule II, III or IV that is filled by a pharmacy that is registered with the board. The bill also proposed to establish a fund within the department to be administered by the department for the purpose of funding the implementation and ongoing costs associated with the program. Finally, the bill proposed to require the department to report back to the joint standing committee having jurisdiction over business and economic development matters its recommendations for funding the program along with implementing legislation by January 2, 2003.

Committee Amendment "A" (S-518), which was not adopted, was a minority report and proposed to replace the bill. The amendment proposed to direct the Department of Behavioral and Developmental Services, Office of Substance Abuse to study the feasibility and advisability of establishing a controlled substances prescription monitoring and intervention program. The amendment proposed to direct the Office of Substance Abuse to make recommendations related to the implementation of the program, including the controlled substances to be included in the program, intervention and enforcement issues and confidentiality issues. The amendment also proposed to require the Office of Substance Abuse to report back to the joint standing committee of the Legislature having jurisdiction over business and economic development matters by January 2, 2003 and proposed to authorize the committee to report out a bill during the First Regular Session of the 121st Legislature. The amendment also proposed to add a fiscal note.

Joint Standing Committee on Business and Economic Development

Committee Amendment "B" (S-519), which was not adopted, was a minority report and proposed to remove the controlled substances prescription monitoring and intervention program from the Department of Professional and Financial Regulation and place it with the Department of Behavioral and Developmental Services, Office of Substance Abuse. This amendment also proposed to require the Office of Substance Abuse and the Department of Professional and Financial Regulation, Maine Board of Pharmacy to develop the program by January 1, 2004. This amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "B" (H-1067), which was not adopted, proposed to provide that the Office of Substance Abuse develop and administer the controlled substances prescription monitoring and intervention program. Committee Amendment "B" proposed to provide for the Office of Substance Abuse and the Department of Professional and Financial Regulation, Maine Board of Pharmacy, to jointly develop and administer this program.

LD 2139	Resolve, Regarding Legislative Review of Chapter 90: Registration of Foresters for Supervision of Unlicensed Personnel, a Major Substantive Rule of the Department of Professional and Financial Regulation, Office of Licensing and Regulation	RESOLVE 102 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2139 proposed legislative review of Chapter 90: Registration of Foresters for Supervision of Unlicensed Personnel, a major substantive rule of the Department of Professional and Financial Regulation, Office of Licensing and Regulations. The provisionally adopted rules proposed to be reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 261. LD 1737, which was enacted as amended by committee amendment "A" in the First Regular Session of the 120th Legislature, required the Board of Licensure of Foresters to adopt major substantive rules pursuant to Maine Revised Statutes, Title 5, chapter 375, subchapter II-A to govern the registration of foresters who supervise unlicensed personnel. The rules proposed to implement a registration system that not only requires the forester to register with the board to supervise the unlicensed person, but also requires the forester to have a signed, written agreement with the unlicensed person, to accept responsibility for the activities of the unlicensed person related to the practice of forestry that are related to the person's employment or the agreement, and to register annually with the board at the time of license application or renewal.

Enacted law summary

Resolve 2001, chapter 102 provides for legislative review of Chapter 90: Registration of Foresters for Supervision of Unlicensed Personnel, a major substantive rule of the Department of Professional and Financial Regulation, Office of Licensing and Regulations. The provisionally adopted rules reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 261. The rules implement a registration system that not only requires the forester to register with the board to supervise the unlicensed person, but also requires the forester to have a signed, written agreement with the unlicensed person, to accept responsibility for the activities of the unlicensed person related to the practice of forestry that are related to the person's employment or the agreement, and to register annually with the board at the time of license application or renewal.

Resolve 2001, chapter 102 was finally passed as an emergency measure effective April 3, 2002.

Joint Standing Committee on Business and Economic Development

LD 2144

**Resolve, Regarding Legislative Review of Chapter 220:
Methodology for Identification of Regional Service Centers, a
Major Substantive Rule of the Executive Department, State
Planning Office**

RESOLVE 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-515 SHOREY
	ONTP MIN	

LD 2144 proposed legislative review of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office. The provisionally adopted rules proposed to be reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 90, section 1. LD 669, which was enacted as amended by committee amendment "A" in the First Regular Session of the 120th Legislature, required the State Planning Office to adopt major substantive rules pursuant Maine Revised Statutes, Title 5, chapter 375, subchapter II-A to establish a methodology for identifying municipalities, and, under certain circumstances, parts of municipalities, that serve as regional service centers and are identified as service center communities.

Senate Amendment "A" (S-515), which was adopted, proposed to strike the emergency preamble and the emergency clause from the resolve.

Enacted law summary

Resolve 2001, chapter 106 provides for legislative review of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office. The provisionally adopted rules reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 90, section 1. The rules adopted establish a methodology for identifying municipalities, and, under certain circumstances, parts of municipalities, that serve as regional service centers and are identified as service center communities.

LD 2184

**An Act to Implement the Recommendations of the Returnable
Container Handling and Collection Study**

PUBLIC 661

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-539 GOLDTHWAIT

LD 2184 proposed to implement the recommendations of the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers created pursuant to Joint Order 2001, H.P. 1389. Among other things, the bill proposed to require the following:

1. That the label of each type of beverage subject to the returnable container deposit law be registered with the Department of Agriculture, Food and Rural Resources;
2. That the department to maintain a register of current beverage container labels and to make that information available to redemption centers;

Joint Standing Committee on Business and Economic Development

3. That redemption centers be authorized to refuse to accept empty containers whose labels are not registered;
4. That a license from the department be required to initiate deposits, operate a redemption center or act as a 3rd-party collection agent under the law;
5. That the department be authorized to establish by rule fees for licensing and registration and that the fees be based on the department's costs in implementing the law; and
6. That the department provide education on the requirements of the law as part of its licensing and inspection responsibilities.

The bill also proposed to establish a dedicated fund to pay the costs of administration and enforcement of the law by the department. The fund would consist of licensing and registration fees charged by the department. Finally, the bill proposed to reestablish the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers to examine ways to improve the efficiency of the law through redesign of the bottle redemption system, establishment of cooperative agreements, introduction of technological improvements or other methods. It also proposed to add 2 additional members to the committee.

Senate Amendment "A" (S-539), which was adopted, proposed to make the following changes to the bill: it proposed to limit the committee to 4 meetings; to make provision for reimbursement of public members; to change the reporting date from December 1, 2002 to November 6, 2002; and to strike the General Fund appropriation.

Enacted law summary

Public Law 2001, chapter 661 implements the recommendations of the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers created pursuant to Joint Order 2001, H.P. 1389. Among other things, the law requires the label of each type of beverage subject to the returnable container deposit law to be registered with the Department of Agriculture, Food and Rural Resources, requires the department to maintain a register of current beverage container labels and to make that information available to redemption centers. The law also requires a license from the department to initiate deposits, operate a redemption center or act as a 3rd-party collection agent under the law. It also establishes a dedicated fund to pay the costs of administration and enforcement of the law by the department with the fund consisting of licensing and registration fees charged by the department. Finally, the law reestablishes the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers to examine ways to improve the efficiency of the law through redesign of the bottle redemption system, establishment of cooperative agreements, introduction of technological improvements or other methods. It also adds 2 additional members to the committee.

LD 2189

An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for the Construction of a Civic Center and Auditorium in Eastern Maine **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-489
	ONTP MIN	

Joint Standing Committee on Business and Economic Development

LD 2189 was a majority report of the Joint Standing Committee on Business and Economic Development reported out pursuant to Joint Order 2001, HP 1610, and proposed to create a bond issue in the amount of \$15,000,000 that would be used for the construction of a new auditorium and civic center in eastern central Maine.

Senate Amendment “A” (S-489) adds a fiscal note to the bill.

LD 2190 **An Act to Authorize a General Fund Bond Issue in the Amount of \$25,400,000 for Economic Development** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-490 SHOREY

LD 2190 was the majority report of the Joint Standing Committee on Business and Economic Development reported out pursuant to Joint Order 2001, HP 1610, and proposed that the funds provided by this bond issue in the amount of \$25,400,000 would be used for the following purposes:

1. The sum of \$5,000,000 to encourage economic investment by businesses by providing low-interest loans to develop and redevelop commercial facilities;
2. The sum of \$5,000,000 to promote job creation by providing loans of up to \$200,000 to Maine businesses that do not have sufficient access to credit but demonstrate the ability to survive, preserve and create jobs and repay obligations;
3. The sum of \$5,000,000 to recapitalize a revolving loan fund that provides funding to regional economic development agencies to relend for the purpose of creating and retaining jobs locally;
4. The sum of \$400,000 to leverage \$4,000,000 in federal funding to redevelop the naval base in Winter Harbor and Gouldsboro into an education and research center; and
5. The sum of \$10,000,000 for the construction of 2 facilities for product development and support that will provide the University of Maine and the University of Southern Maine with the resources needed to help solve daily manufacturing and engineering problems for Maine companies.

Senate Amendment "A" (S-490) proposed to strike language that would limit the amount of loans to \$200,000, refine the description of one of the permitted allocations and correct the amount of bond proceeds designated to be expended on the construction of a facility to support Maine businesses through product development and testing. This amendment also proposed to add a fiscal note to the bill.

LD 2191 **An Act to Authorize a General Fund Bond Issue in the Amount of \$29,400,000 for Economic Development** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

Joint Standing Committee on Business and Economic Development

LD 2191 was the minority report of the Joint Standing Committee on Business and Economic Development reported out pursuant to Joint Order 2001, HP 1610, and proposed that funds provided by this bond issue in the amount of \$29,400,000 would be used for the following purposed:

1. The sum of \$5,000,000 to encourage economic investment by businesses by providing low-interest loans to develop and redevelop commercial facilities;
2. The sum of \$5,000,000 to promote job creation by providing loans of up to \$200,000 to Maine businesses that do not have sufficient access to credit but demonstrate the ability to survive, preserve and create jobs and repay obligations;
3. The sum of \$5,000,000 to recapitalize a revolving loan fund that provides funding to regional economic development agencies to relend for the purpose of creating and retaining jobs locally;
4. The sum of \$4,000,000 to provide loans and grants to municipalities for public infrastructure improvements, including downtowns, transportation projects, streetscapes and sewer and water projects;
5. The sum of \$400,000 to leverage \$4,000,000 in federal funding to redevelop the naval base in Winter Harbor and Gouldsboro into an education and research center; and
6. The sum of \$10,000,000 for the construction of 2 facilities for product development and support that will provide the University of Maine and the University of Southern Maine with the resources needed to help solve daily manufacturing and engineering problems for Maine companies.

Senate Amendment "A" (S-491) proposed to refine the description of one of the permissible allocations of the proceeds of the bonds and remove language that would limit to \$200,000 the amount of loans provided by the Finance Authority of Maine under the Economic Recovery Loan program. This amendment also proposed to add a fiscal note to the bill.

LD 2192

An Act to Amend the Laws Governing the Unlawful Sale of Personal Sports Mobiles and the Registration of New Snowmobiles

PUBLIC 616

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
	OTP	MAJ	H-1012 RICHARDSON
	OTP-AM	MIN	

LD 2192 was the majority report of the Joint Standing Committee on Business and Economic Development pursuant to Joint Order 2001, H.P. 1586. It proposed to make a number of changes to the laws governing the unlawful sale of new personal sports mobiles and the registration of new snowmobiles. Among other things, it proposed to amend the definition of "new personal sports mobile" to include those new personal sports mobiles not previously registered in this State or any other state or for which sales tax has not been paid in this State or any other state. It also proposed to require that a personal sports mobile dealer hold a valid franchise from a manufacturer to sell a new personal sports mobile. The bill also proposed to make it a Class E crime for a person to unlawfully sell a new personal sports mobile. Further, the bill proposed to require a municipal agent to make a determination that a new snowmobile being registered has been purchased from a new snowmobile dealer holding a valid franchise with the manufacturer of the brand of new snowmobile being registered.

Joint Standing Committee on Business and Economic Development

Committee Amendment "A" (H-960), which was not adopted, was the minority report of the Joint Standing Committee on Business and Economic Development pursuant to Joint Order 2001, H.P. 1586. The amendment proposed to strike a section of the committee bill that makes it a Class E crime to unlawfully sell a new personal sports mobile without a current and valid franchise with a personal sports mobile manufacturer. Instead, the amendment proposed to make violation of this section a civil violation. The amendment also proposed to strike 2 sections of the committee bill that amend the Maine Revised Statutes, Title 12 to require the Commissioner of Inland Fisheries and Wildlife or the commissioner's designee or a municipal agent to determine whether or not a new snowmobile was purchased from a new snowmobile dealer holding a valid and current franchise with a manufacturer of the brand of snowmobile being registered and that requires a person in the business of selling new or used snowmobiles to register as a dealer and to obtain a dealer's license from the Department of Inland Fisheries and Wildlife. The amendment also proposed to add a fiscal note to the bill.

House Amendment "A" (H-1012), which was adopted, proposed to remove the provision that would have required the Commissioner of Inland Fisheries and Wildlife and municipal agents to make determinations regarding the validity of franchise agreements prior to registering new snowmobiles. Further, the amendment proposed to add language to the bill authorizing any law enforcement officer to enforce the unlawful sales provision.

Enacted law summary

Public Law 2001, chapter 616 makes a number of changes to the laws governing the unlawful sale of new personal sports mobiles. Among other things, it amends the definition of "new personal sports mobile" to include those new personal sports mobiles not previously registered in this State or any other state or for which sales tax has not been paid in this State or any other state. The law also requires that a personal sports mobile dealer hold a valid franchise from a manufacturer to sell a new personal sports mobile. The bill also makes it a Class E crime for a person to unlawfully sell a new personal sports mobile. The law also authorizes any law enforcement officer to enforce the unlawful sales provision.

LD 2194	An Act to Authorize a General Fund Bond Issue in the Amount of \$15,000,000 for Biomedical Research and Development Equipment and Infrastructure	INDEF PP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		H-1004 RICHARDSON

LD 2194 was a report of the Joint Standing Committee on Business and Economic Development pursuant to Joint Order 2001, HP 1610 and proposed to create a bond issue in the amount of \$15,000,000 that would be used for biomedical research and development by Maine-based nonprofit and state research institutions.

House Amendment "A" (H-1004) adds a fiscal note to the bill.

Joint Standing Committee on Business and Economic Development

LD 2200

Resolve, to Study the Impact of a Maine-based Casino on the Economy, Transportation Infrastructure, State Revenues and the Job Market

RESOLVE 124

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	OTP-AM MAJ	H-1035
SHOREY	ONTP MIN	S-605 GOLDTHWAIT

LD 2200 proposed to establish the Task Force to Study the Impact of a Maine-based Casino. The task force would be comprised of Legislators, including a tribal representative, the Attorney General, the Chief of State Police, the Commissioner of Transportation, a member of the Maine Sheriffs' Association and members of the public. The task force would be charged with estimating the impact of a casino based in Maine upon employment, the transportation infrastructure the State's economy and the State's revenues.

Committee Amendment "A" (H-1035), which was adopted, proposed to change the membership of the Task Force to Study the Impact of a Maine-based Casino and to increase the membership from 14 to 19 members. It proposed to amend the duties of the task force to require that the task force hold 3 regional public hearings, determine the appropriate location for a casino and estimate the impact of a casino on municipal services, social services, affordable housing, business activity and criminal activity within a 25-mile radius of a proposed casino and the impact on other forms of gambling that are legally conducted in the State. It also proposed to amend the bill so that the task force submits its report to the joint standing committees of the Legislature having jurisdiction over business and economic development and gaming matters. Under this amendment, the joint standing committees would be authorized to report out legislation to the 121st Legislature. The amendment also proposed to add a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-1056), which was not adopted, proposed to add to the duties of the Task Force to Study the Impact of a Maine-based Casino the requirement that the task force compare the proposal for a Maine-based casino with the proposal to expand gaming at commercial harness racing tracks as proposed in the referendum language certified by the Secretary of State in November 2001.

House Amendment "B" to Committee Amendment "A" (H-1059), which was not adopted, proposed to add the Executive Director of the Christian Civic League of Maine to the membership of the task force.

Senate Amendment "A" to Committee Amendment "A" (S-534), which was not adopted, proposed to require the Task Force to Study the Impact of a Maine-based Casino to compare the costs, revenue and social implications of the proposed Maine-based casino with the expansion of gaming at commercial harness racing tracks.

Senate Amendment "B" to Committee Amendment "A" (S-560), which was not adopted, proposed to amend the duties of the task force by requiring the task force to survey various agencies that would provide services to individuals experiencing difficulties as a result of gambling and to determine the necessary funding to provide those services. The amendment also proposed to require the task force to examine the net costs of additional social services and the impact of those costs on the State and also to estimate the number of jobs created or lost due to operation of a casino. It proposed to change the distance from a 25-mile radius to a 50-mile radius in which to estimate the impact of a casino to a municipality. It also proposed to define a quorum of the task force as 12 members.

Joint Standing Committee on Business and Economic Development

Senate Amendment "C" to Committee Amendment "A" (S-594), which was not adopted, was prepared pursuant to action taken by the Legislative Council on March 26, 2002. It proposed to change Legislator membership provisions; to limit the task force to 4 meetings, one of which may be a public hearing in the Augusta area; to change the report date; to authorize each of the 2 joint standing committees to report out a bill; and to remove the General Fund appropriation.

Senate Amendment "D" to Committee Amendment "A" (S-605), which was adopted, was prepared pursuant to action taken by the Legislative Council on March 26, 2002. The amendment proposed to change legislative membership provisions; to limit the task force to 4 meetings, one of which may be a public hearing in the Augusta area; to change the report date; and to remove the General Fund appropriation.

Enacted law summary

Resolve 2001, chapter 124 establishes the Task Force to Study the Impact of a Maine-based Casino. Membership of the 18-member task force is comprised of Legislators, including a tribal representative, the Attorney General, the Chief of State Police, the Commissioner of Transportation, a member of the Maine Sheriffs' Association, members of the public and others. The task force is charged with estimating the impact of a casino on municipal services, social services, affordable housing, business activity and criminal activity within a 25-mile radius of a proposed casino and the impact on other forms of gambling that are legally conducted in the State, as well as the impact of a casino upon employment, the transportation infrastructure the State's economy and the State's revenues. The task force is limited to 4 meetings, one of which may be a public hearing in the Augusta area. It requires the task force to submit a report to the joint standing committees of the Legislature having jurisdiction over business and economic development matters and gambling matters by November 6, 2002.

LD 2203

**An Act to Increase the Cap on Funds Available through the
Regional Economic Development Revolving Loan Program**

PUBLIC 639

Sponsor(s)

Committee Report

Amendments Adopted

LD 2203 was a report of the Joint Standing Committee on Business and Economic Development reported out pursuant to Joint Order 2001, HP 1610, and proposed to increase the amount a corporation may receive from the Regional Economic Development Revolving Loan Program Fund from \$1,250,000 to \$2,500,000 and proposed to make more money available to corporations for reasonable administrative expenses by increasing the commitment fee from 1% to 2% and increasing the interest earnings cap from 5% to 7%.

Enacted law summary

Public Law 2001, chapter 639 increases the amount a corporation may receive from the Regional Economic Development Revolving Loan Program Fund from \$1,250,000 to \$2,500,000 and makes more money available to corporations to use for reasonable administrative expenses by increasing the commitment fee from 1% to 2% and increasing the interest earnings cap from 5% to 7%.

Joint Standing Committee on Business and Economic Development

LD 2212

An Act to Create the Maine Rural Development Authority

PUBLIC 703

Sponsor(s)

Committee Report

Amendments Adopted

H-1086 RICHARDSON

S-559 SHOREY

LD 2212 proposed to establish the Maine Rural Development Authority as a quasi-governmental agency with the purpose of providing loans to communities for the construction of commercial facilities and leading the development or redevelopment of commercial facilities in areas where economic need has not been met by private investment.

The authority would assume the administration of the community industrial building program currently administered by the Department of Economic and Community Development and the authority's operations would be dependent upon funding.

House Amendment "A" (H-1072), which was not adopted, proposed to clarify that the Department of Economic and Community Development would be responsible for the expenses necessary to establish the Maine Rural Development Authority and that the authority's ongoing operations and expenses are subject to other funding. The amendment also proposed to correct technical errors in the bill.

House Amendment "B" (H-1086), which was adopted, proposed to correct an ambiguity in the structure of the bill.

Senate Amendment "A" (S-559), which was adopted, proposed changes to the bill identical to House Amendment "A."

Enacted law summary

Public Law 2001, chapter 703 establishes the Maine Rural Development Authority as a quasi-governmental agency with the purpose of providing loans to communities for the construction of commercial facilities and leading the development or redevelopment of commercial facilities in areas where economic need has not been met by private investment. The law requires the authority to assume the administration of the community industrial building program that has been administered by the Department of Economic and Community Development and the authority's operations are dependent upon funding, which is proposed in a bond issue to be submitted to the voters in November 2002. The Department of Economic and Community Development is responsible for the expenses necessary to establish the Maine Rural Development Authority, but the authority's ongoing operations and expenses are subject to other funding.

HP 1702

JOINT ORDER, Relative to the Task Force to Study Regulatory Barriers to Affordable Housing

ONTP

Sponsor(s)

SULLIVAN

Committee Report

ONTP

Amendments Adopted

HP 1702 proposed to establish a 13-member task force to study regulatory barriers to affordable housing. The task force would have been charged with finding ways to reduce regulatory barriers to affordable housing and provide incentives for the creation and availability of affordable housing consistent with the legitimate concerns of local

Joint Standing Committee on Business and Economic Development

communities for healthy neighborhoods, sound environmental practices, sustainable affordability and inclusive communities. The task force would have been required to submit its findings, recommendations and any proposed legislation to the Legislative Council by November 6, 2002.

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